

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MACROLIDE ANALOGS

the specification of which was filed on May 9, 2001 as Application No. 09/852,416.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no foreign applications have been filed

☐ foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

| Application Number | Country | Date of Filing | Priority Claimed Under 35 USC 119 |
|--------------------|---------|----------------|--------------------------------------|
| | | | Yes No |
| | | | Yes No |

Attorney Docket No.: 300622000501

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| Application Number | Country | Date of Filing |
|--------------------|---------|----------------|
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- ☐ no U.S. provisional applications have been filed.
- ☒ U.S. provisional application have been filed as follows:

| Application Number | Date of Filing | Priority Claimed Under 35 USC 119 |
|--------------------|----------------|---|
| 60/076,919 | March 5, 1998 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☐ no U.S./PCT applications have been filed.

Attorney Docket No.: 300622000501

☒ U.S./PCT application have been filed as follows:

| Application Number | Date of Filing | Status (Patented/Pending/Abandoned) |
|--------------------|--------------------|--|
| 09/073,538 | May 6, 1998 | Patented |
| 08/846,247 | April 30, 1997 | Patented |
| 08/486,645 | June 7, 1995 | Patented |
| 08/238,811 | May 6, 1994 | Patented |
| 08/164,301 | December 8, 1993 | Abandoned |
| 08/123,732 | September 20, 1993 | Abandoned |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 25225

all of Morrison & Foerster LLP, 3811 Valley Centre Drive, Suite 500, San Diego, California 92130, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

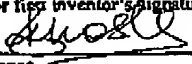
Please mail all correspondence to Brenda J. Wallach, whose address is:

Morrison & Foerster LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130

Please direct telephone calls to: Brenda J. Wallach at (858) 720-7961.

Please direct facsimiles to: (858) 720-5125

Attorney Docket No.: 300622000501

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| Full name of sole or first inventor Chaitan KHOSLA | |
| Sole or first inventor's signature  | Date 7/7/05 |
| Residence Palo Alto, California | |
| Citizenship US | |
| Mailing Address 740 La Para Avenue Palo Alto, California 94306 | |

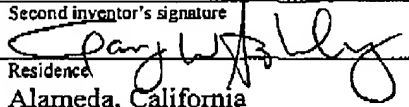
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| Full name of second inventor, if any Gary ASHLEY | |
| Second inventor's signature | Date |
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| Fourth inventor's signature | Date |
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| Full name of fifth inventor, if any Robert MCDANIEL | |
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| Full name of sole or first inventor Chaitan KHOSLA | |
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| Full name of second inventor, if any Gary ASHLEY | |
| Second inventor's signature  | Date 1 July 2005 |
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| Full name of fourth inventor, if any Camilla KAO | |
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| Full name of fifth inventor, if any Robert MCDANIEL | |
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Attorney Docket No.: 300622000501

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| Sole or first inventor's signature | Date |
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| Full name of fourth inventor, if any Carmilla KAO | |
| Fourth inventor's signature <i>Carmilla M. Kao</i> | Date 13 Jul 2005 |
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| Full name of sole or first inventor Chaitan KHOSLA | |
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| Full name of second inventor, if any Gary ASHLEY | |
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